

NOTICE OF EMERGENCY RULE

RULE TITLE: Emergency Waiver for Flood Disaster, November 5, 1985.

Civil Service Commission, Chapter 29-6, Series 1. Section 16

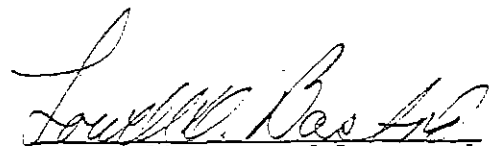
The attached rule is filed as an Emergency Rule. The facts and circumstances constituting the emergency are as follows:

On November 5, 1985, a devastating flood ravaged twenty-nine (29) counties of the State with a heavy loss of life and property damage of several hundred million dollars. Many public employees have been and will continue to work seven days a week in the relief and recovery efforts. These unforeseen and extraordinary circumstances will result in many employees losing accrued annual leave due to their assignment to disaster recovery work and inability to take vacations or otherwise use the accrued leave.

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Division of State


Acting Director of Personnel

Civil Service Commission
Emergency Rule
Chapter 29-6-10
Series I
16.03

16.03. Annual Leave

(a) Amount, Accrual-Except as otherwise noted in these rules, each employee shall be entitled to annual leave with pay and benefits. The table below lists rates of accrual according to the employee's length of service category and the number of hours of annual leave that may be carried forward from one calendar year to another. Annual leave cannot be accrued for hours worked beyond the normal work week.

<u>Length of Service Category</u>	<u>Accrual Rate</u>	<u>Carry-forward Hours</u>
Less than 5 years of regular employment	.05769 hour per hour paid	240 hours
5 years but less than 10 years of regular employment	.06923 hour per hour paid	240 hours
10 years but less than 15 years of regular employment	.08077 hour per hour paid	280 hours
15 years or more	.09231 hour per hour paid	320 hours

(a)(1) Emergency Waiver for Flood Disaster, November 5, 1985-The provision in 16.03(a) on the number of hours of annual leave that may be carried forward from one calendar year to another may be waived for those classified employees directly involved in the relief and recovery efforts from the flood disaster which occurred in twenty nine (29) counties, on November 5, 1985 and for those employees forced to work additional hours due to the reassignment of other agency personnel to flood related work.

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CIVIL SERVICE COMMISSION
Willard H. Erwin, Jr., Chairman
Bill J. Wellman



Address Communications To:
Director of Personnel
1900 Washington Street East
Room B-456
Charleston, West Virginia 25305
Phone 348-3950

STATE OF WEST VIRGINIA

CIVIL SERVICE SYSTEM

November 20, 1985

Honorable Ken Hechler
Secretary of State
Building 1, Room W-157
State Capitol Building
Charleston, West Virginia 25305

Dear Mr. Hechler:

I am transmitting the Emergency Rule approved and adopted by the Civil Service Commission at its meeting on November 19, 1985 for filing in the State Register.

Sincerely,

A handwritten signature in cursive script that reads "Lowell D. Basford".

Lowell D. Basford
Acting Director of Personnel

LDB:ss

Enclosure

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KEN HECHLER
Secretary of State

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STATE OF WEST VIRGINIA
SECRETARY OF STATE

Charleston 25305

Jan. 23, 1986

WILLIAM H. HARRINGTON
Chief of Staff

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Director, Administrative Law

DONALD R. WILKES
Director, Corporations

VIRGINIA SKEEN
Special Assistant

(Plus all the volunteer
help we can get)

NOTICE OF EXPIRATION OF EMERGENCY RULES

THE FOLLOWING EMERGENCY LEGISLATIVE RULE FILED BY THE CIVIL SERVICE COMMISSION HAS EXPIRED. THIS RULE WAS NOT FILED WITH A NOTICE OF PUBLIC HEARING WITH THE SECRETARY OF STATE WITHIN THE TIME REQUIRED BY WV CODE 29A-3-15(a)(1). It was the intent of the Civil Service Commission to allow this rule to expire as it was needed only as a temporary rule.

Annual Leave Waiver for Flood Disaster, Series 1
filed as an emergency rule on Nov. 20, 1985.
This emergency rule expired on January 22, 1986.

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